

: Order Affirming Decision
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: Docket No. IBIA 95-44-A
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: February 8, 1995

The Fort McDermitt Paiute-Shoshone Tribe, an interested party in this proceeding, pursuant to 43 CFR §§ 4.310-4.340, hereby files this Notice of Appeal of the decision of the Phoenix Area Office dated October 17, 1994, and received by the Tribe on October 24, 1994. A copy of the decision is attached.

The Board has frequently stated that an appellant bears the burden of proving the error in the decision being appealed. An appellant who fails to make any allegation of error in the Area Director's decision, let alone any argument in support of such an allegation, has not carried its burden of proof. See, e.g., Dewey County State Bank v. Anadarko Area Director, 27 IBIA 121 (1995); Native Village of Eyak Tribal Council v. Acting Juneau Area Director, 26 IBIA 282 (1994). Appellant has failed to carry its burden of proof here.

Anita Vogt
Administrative Judge